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APRIL 1960  
Vol. 9 • No. 4

# PUBLIC LANDS

BUREAU OF LAND MANAGEMENT





# OUR PUBLIC LANDS . . .



Issued quarterly by

UNITED STATES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Washington 25, D. C.

*The printing of this publication has been approved by the Director of the Bureau of the Budget, February 25, 1960*

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## BUREAU OF LAND MANAGEMENT

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*"Conservation is a state of harmony between men and land. By land is meant all of the things on, over, or in the earth. Harmony with land is like harmony with a friend; you cannot cherish his right hand and chop off his left. That is to say, you cannot love game and hate predators; you cannot conserve the waters and waste the range; you cannot build the forest and mine the farm. The land is one organism. Its parts, like our own parts, compete with each other and cooperate with each other. The competitions are as much a part of the inner workings as the cooperations. You can regulate them—cautiously—but not abolish them."*

*(From "Round River—From the Journals of Aldo Leopold," edited by Luna B. Leopold, Oxford University Press, 1953.)*

## CONTENTS

### ARTICLES

#### FEDERAL OIL LEASES

by MICHAEL GILLER, *Minerals Staff, BLM* . . . . . 3

TOWARD A HIGHER USE . . . . . 5

#### ENCLAVE IN COLORADO

by RICHARD S. PATTERSON, *Chief, Special Studies Branch, Historical Office, U.S. Department of State* . . . . . 6

#### A ROAD UP SMITH RIVER

by JOHN CLARK HUNT, *Forester, Portland, Oregon, BLM* . . . . . 8

### FEATURES

ACTIVE ACRES. . . . . 10

BLM Marks Record Year

New BLM Movie

Grazing Fee

Competitive Leasing in Alaska

Anti-Speculation Policy

On the Bookshelf

Star Guide

Drilling Bond

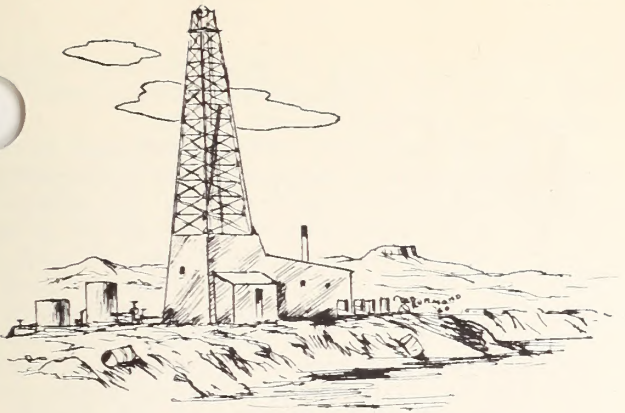
Minerals Yearbook

PUBLIC LANDS UNDER EXCLUSIVE JURISDICTION OF BLM . . . . . 16

### COVER

The building of access roads for the harvesting of timber from BLM lands may pave way for a wide variety of different types of development and use of areas formerly remote and inaccessible. For the story of one such road in Oregon, see page 8.





# FEDERAL OIL LEASES

by MICHAEL GILLER, *Minerals Staff*, BLM

**F**ederal oil and gas leases are authorized by the Mineral Leasing Act of 1920, as amended. Leases may be obtained noncompetitively and also through competitive bidding. The distinction between these two types is this: If the lands are within the known geologic structure of a producing oil and gas field, they can be leased only through competitive bidding. Federal lands not within such a structure are termed for oil and gas exploratory purposes "wildcat" lands and may be leased noncompetitively on a first come first serve basis. Since noncompetitive leasing does not require the payment of any bonus to the Government it is the method by which the general public obtains Federal oil and gas leases.

Only citizens of the United States may obtain a Federal oil and gas lease. To determine which Federal lands are available for oil and gas leasing the prospective applicant must examine the records of the Bureau of Land Management Land Office having jurisdiction over the area where the lease is desired. Records are open to public inspection during business hours.

For lands to be available they must be public domain lands that are open to mineral leasing. Some reserved lands (such as most National Forest areas) are open to oil and gas leasing. Lands must not be included in an existing oil and gas lease. Lands may not have been withdrawn from such leasing by the Government.

An oil and gas lease cannot be obtained simply by writing to BLM. There are no lists or maps showing lands available for leasing.

If an applicant finds out from the records that a particular tract of land is available for leasing, he may file an "offer to lease" the land on BLM Form 4-1158.

This "offer" is the same thing as an application for the lease. It must be accompanied by a \$10 filing fee and by payment of advance land rental

for the first lease year at the rate of 50 cents per acre.

An offer to lease may not be made for less than 640 acres, except where a smaller area is completely surrounded by lands not available for leasing. Nor may offers be for more than 2,560 acres. That is the maximum and minimum acreage that may usually be included in any lease.

Federal oil and gas leases are issued for 5 years and for so long thereafter as oil or gas is produced in paying quantities. A noncompetitive leasehold from which no production is obtained before expiration of its 5-year term may be extended for a single additional 5-year term upon application made for such extension in accordance with the regulations. If, at the end of the 10th year there is no production from the leasehold the lease terminates. There is no authority under the law to grant any additional lease extension.

The rental for noncompetitive leases is 50 cents per acre for the first year. The rent for the second and third years is waived by law. Rent for the fourth and fifth years is at the rate of 25 cents per acre. Thus a Federal noncompetitive oil and gas lease may be obtained for the initial 5-year term for \$1 per acre.

The Mineral Leasing Act limits the amount of acreage that may be held in any one State by one lessee. This acreage is limited to 46,080 acres in any one State (except Alaska, where 100,000 acres may be held under lease). Up to 200,000 acres may be held under lease option in any State.

Many people who obtain noncompetitive oil and gas leases are without experience in oil and gas activities. The only motive which impels them to obtain these leases is the laudible one of making a profit. This they hope to accomplish by selling or assigning their leases to oil companies for a cash bonus per acre plus an overriding royalty.

It is infrequent that the original holder of a noncompetitive lease engages in his own drilling



operations for two reasons: (1) lack of experience and (2) lack of the risk capital entailed in such an operation. The leasing of lands desirable for oil drilling or upon which the expenditure of large amounts of money for drilling purposes would be justified involves the use of considerable technical skill and science in addition to the expenditure of considerable capital. Oil exploration is a highly speculative venture and the odds are against a small acreage lessee being lucky enough to strike it rich.

In past years many persons advertising in newspapers and periodicals throughout the Nation have offered for sale to the public 40-acre oil and gas leases issued by the Government. The customary price for the sale of such a lease is \$100. In their advertising these persons have implied that many can be lucky enough to "strike it rich," relying solely on the information offered.

In their advertisements such psychologically encouraging items as maps which show oil activities within the particular State are employed. Generally speaking, the prospective customer cannot distinguish between development and wildcat drilling.

In reality, the profitable leasing of lands for oil and gas cannot be based simply on such information but must, rather, be the result of the use of technical skill and science and by the investment of considerable sums of capital.

The average layman, inexperienced in the oil industry and ignorant of the time and effort needed in the selection of drilling sites, can be easily misled by advertisements which report oil strikes.

As 40-acre leases are usually sold for about \$100 and since there are sixty-four 40-acre tracts in one 2,560 acre lease, it becomes obvious that the advertisers could realize \$6,400 on an initial outlay of only \$1,280. This is not a bad deal for the advertiser! BLM cannot, under the present law, refuse to approve such partial small-acreage as-

signments (transfers) of leases where all of the regulations are complied with and where the assignee is qualified to hold a lease.

It may be that small-acreage leases tend to retard, rather than to encourage, the development of the Federal oil and gas resources. By demanding an unreasonable amount for an option or an assignment, the inexperienced holder of such a small tract lease could actually defeat the blocking out of an area for oil and gas development. Therefore, there has been introduced in the present Congress legislation to prohibit assignments with respect to oil and gas leases of less than 640 acres with certain exceptions.

Just how important is oil and gas leasing on Federal lands? On June 30, 1959, nearly 132,000 leases were recorded covering over 107 million acres. From the public lands came more than 142 million barrels of petroleum, 446 million MCF (thousand cubic feet) of natural gas, 132 million gallons of gasoline, and 148 million gallons of liquid petroleum gas. In addition, private enterprise produced 31 million barrels of petroleum and 178 million MCF of natural gas from Outer Continental Shelf lands.

Alaska is the State with the largest amount of leased land, with over 32 million acres under lease. Wyoming follows with 23.5 million acres under lease.

Total receipts during 1959 from all mineral leasing activities, including rentals, royalties, and bonuses, conducted by the Bureau of Land Management totaled \$95.8 million of which the major portion was from oil and gas rental and royalty payments.

The public lands are known to contain a significant part of the unexplored and undeveloped oil and gas resources of the United States. Now and in the future these lands are being increasingly looked to as a source of future supply for the raw oil and gas materials needed to help the country grow. **End**

## A GLOSSARY OF MINERAL LEASING TERMS

### **BONUS:**

The cash consideration paid to the United States by the successful bidder for a mineral lease, such payment being made in addition to the rent and royalty obligations specified in the lease.

### **FIELD EXAMINATION:**

An on-the-ground investigation of certain public lands in regard to valuation, land use, application for entry, mineralization, and so forth.

### **LEASE:**

A contract or instrument by which interests are created or transferred to another subject to specified obligations and given in consideration of rent or some other recompense.

### **L.P.G.:**

Liquid petroleum gas.

### **MINERAL CLASSIFICATION:**

The classification of lands as mineral lands which are lands known to contain valuable minerals.

### **MINERAL PERMIT:**

A permit which authorizes prospecting for certain leasable minerals on public lands described in the permit.

### **NONCOMPETITIVE LEASING:**

Leases are issued to qualified applicants for lands not specifically known or presumed to contain mineral or petroleum deposits in quantity.

### **PATENT:**

A government deed. A document that conveys legal title of public lands to the party to whom the patent is issued.



# TOWARD A HIGHER USE

Continuing its program to classify public domain lands and promote their proper development, approximately 100,000 acres in southern California have been classified by BLM and the Department of the Interior for nonagricultural use because of a lack of assured water supply.

The action brings the area in southern California classified as unsuited to irrigated farm development to approximately 1,100,000 acres. The lands are in San Bernardino, Riverside, Imperial, Inyo, and Kern Counties.

Classification of the new areas in 16 townships in 7 valley areas was accomplished in a decision rejecting 56 homestead and desert entry application appeals. The applications covered nearly 18,000 acres in the Mojave Desert and Salton Sea areas. The townships total nearly 250,000 acres, but substantial portions are privately owned and the classification affects only public lands. Seven of the townships were affected by the earlier classification.

The determination that the lands are not suited to irrigation farming will open the way to other types of classification, permitting them to be used for recreation or for urban and industrial expansion.

The 56 applications were originally rejected by the Bureau's Los Angeles office. Applicants appealed to Director Woolley. He upheld the rejections and the Office of the Secretary concurred.

The classification will be noted on the records so that potential applicants will have plain warning that the lands are not open to homestead or desert entry filing.

Director Woolley said that for some time it has been known that much public land in southern California's desert valleys is without agricultural capability. The lands do, however, have considerable potential for recreation use and for urban and suburban development.

The Department of the Interior has recommended legislation to Congress to permit public sale of suitable lands for urban, suburban, and industrial development. The House Committee on Interior and Insular Affairs held hearings on the proposed legislation at Riverside, Calif., November 4, 1959.

The classification in the five counties followed detailed survey of the underground water sup-

plies and the annual replenishment rate for each area involved. Evidence showed water supplies were insufficient to permit irrigated farm development to the extent necessary to perfect desert land entries.

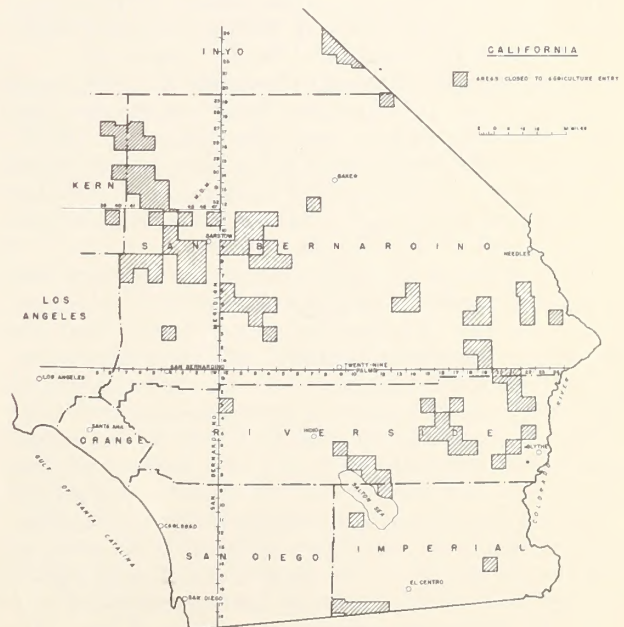
Agricultural development of the public land in the areas involved is not feasible, so all pending and future applications under the homestead and desert land laws will be rejected or returned. Other types of public land applications and uses, including mining and mineral leasing, are not affected by the classification action.

Many of the lands involved have been covered by previously unsuccessful desert land entries. There is a long history of failures of desert land entries in these southern California areas.

Allowances of desert land entries in areas where there is insufficient water is against sound conservation practices.

Leveling and destroying the natural cover of the lands, where there is no possibility of irrigation, results in excessive erosion and promotes dustbowl conditions.

**End**





# Who Owns It?

## ENCLAVE IN COLORADO?

by RICHARD S. PATTERSON, Chief, Special Studies Branch, Historical Office, U.S. Department of State

*Editor's note: an enclave is "an outlying portion of a country, entirely or mostly surrounded by the territory of another country."*

Inquiries addressed to the Government from time to time during recent decades reveal a persistent legend to the effect that the United States lacks title to a portion of the State of Colorado.

According to this legend, an area of territory located in the northwestern quarter of Colorado was never lawfully or properly acquired by the United States because it was outside the limits of the Louisiana Purchase in 1803 and outside the boundaries of the Republic of Texas at the time of annexation in 1845.

The area in question comprises the larger portions of Grand and Summit Counties, Colo., including the respective county seats, Hot Sulphur Springs and Breckenridge. More specifically, the area is bounded by the meridian of the source of the Arkansas River as it runs northward from that source, and by the Continental Divide as it runs from the vicinity of that source first eastward then northward, and finally westward.

According to newspaper reports in 1936, local acceptance of this legend—local conviction that by error this region had not been technically taken into the United States—led to the holding of ceremonies in Breckenridge on August 8, 1936, for the purpose of formally claiming the area in question as part of the United States.

The basis for the legend exists in the fact that when the western boundary line of the Louisiana Purchase (as now generally laid down) and the boundary line of the Republic of Texas at the time of annexation are both drawn on one map, an irregularly shaped area in northwest-central Colorado is shown to be outside either of these two territorial acquisitions. But this basis is an unsound one, for reasons that we shall now examine.

In the first place, the western limits of the Louisiana Purchase were never defined either prior to 1803 or by the treaty of cession which was signed on April 30, 1803; and they have remained a subject of historical controversy ever since. Al-

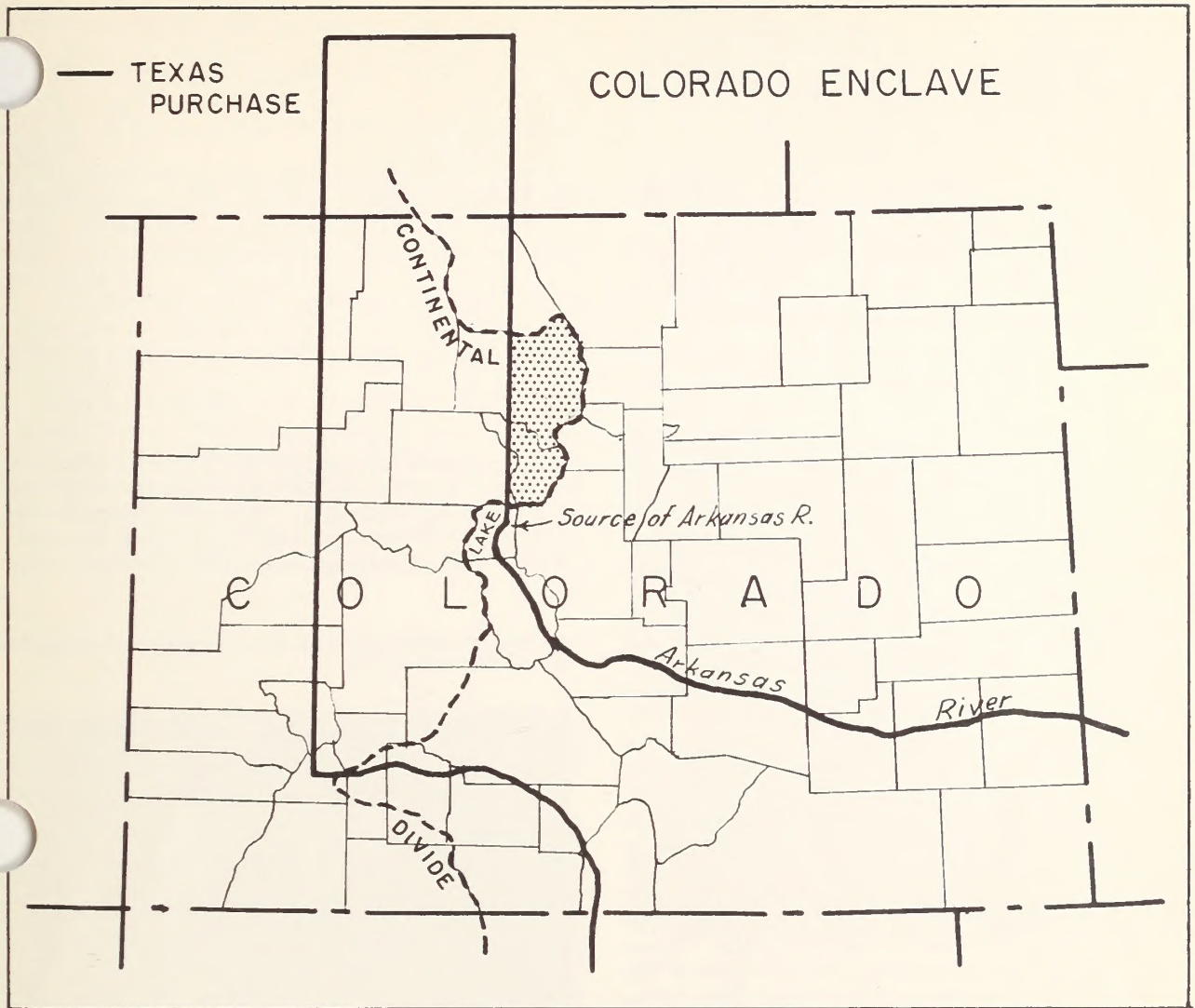
though the northern portion of the western limits of the Louisiana Purchase is for convenience now generally assumed to be the Continental Divide, this line represents no more than a scholarly guess as to the extent of the cession. In other words, it is possible to argue that the Louisiana Purchase did include the portion of Colorado in question. For present purposes, however, let us lay aside this possibility.

In the second place, by 1819 Spain claimed a vast region extending westward from the Louisiana Purchase to the Pacific Ocean, although the

LOUISIANA PURCHASE and TEXAS ANNEXATION







Spanish claims there came into conflict to some extent with British and Russian claims.

By the treaty between the United States and Spain which was signed on February 22, 1819, the United States recognized these claims of Spain and acquired a portion of them. Article 3 of this treaty drew a line between the territories of the two nations from the Gulf of Mexico all the way to the Pacific Ocean.

Briefly, this line ran as follows: from the Gulf of Mexico northward along the Sabine River to latitude  $32^{\circ}$ ; thence due north to the Red River; thence westward along the Red River to longitude  $100^{\circ}$  west of London; thence due north to the Arkansas River; thence along the Arkansas to its source; thence due north to latitude  $42^{\circ}$ ; and thence westward on the 42d parallel to the Pacific. By article 3 the United States renounced all its rights and claims—under the Louisiana Purchase or otherwise—to territory west and south of the line just described, and it acquired all Span-

ish rights and claims to territory east and north of that line.

Let us now consider certain results of the line drawn by article 3 of the treaty of 1819. First, this line, to the extent that it ran along the 42d parallel to the Pacific, left the region northward of it and westward of the Louisiana Purchase—the region known as the Oregon Country—in dispute between the United States and Great Britain until 1846.

Secondly, this line, to the extent that it ran from the Gulf of Mexico to the 42d parallel, marked the then westward extent of the United States in this region; and thenceforth the United States had full and undisputed ownership of all territory eastward of this line.

Thirdly, immediately on the east (or U.S.) side of this line, along that part of it running due north from the source of the Arkansas River to the 42d parallel, is the portion of Colorado which

(Continued on page 12)



# A ROAD UP SMITH RIVER

. . . access for timber and people

by JOHN CLARK HUNT, Forester, Portland, Oregon, BLM

**O**f the widely scattered blocks of old-growth timber that remained along the Pacific coast 10 years ago one of the largest was in the watershed of the Smith River in Oregon. The area is ideally suited to the growth of Douglas fir, being as it is, within a cool moist low elevation belt.

Like other streams that head in the Coast Range, Smith River is neither long nor large, but while it may lack in size it abounds in history.

The river received its simple, unadorned name of Smith from a man of towering stature. Jedidiah Smith was a mountain man and one of the great, if not the greatest, explorers of the western United States. He blazed dangerous and searching trails through the vast, lonely expanses of the area west of the Mississippi when it was still a mystery to the mapmakers.

In 1828 Smith made the first recorded overland exploration of the Pacific coast. On their way north from California to the Columbia River, Smith and 17 trappers camped one night at the mouth of a minor river. The next day, while Smith and two of his companions were exploring the river, the camp was attacked by Indians. When the three men returned they found that only one had escaped and all of their horses, furs, and equipment had been stolen.

The survivors made their way through the wilderness to Fort Vancouver on the north bank of the Columbia River. The Hudson Bay Co. factor, Dr. John McLaughton, furnished Smith with a well-armed expedition. Smith returned to the area of the massacre, found the Indians, and recovered most of the stolen property.

During the settlement of Oregon the small town of Gardiner was built on the coast near the place where Smith and his men had camped. A few families went up the river and settled. A sawmill was built at the little town and about 1870 screw-jack and bullteam logging began pushing slowly up Smith River toward the head of tidewater.

Logging had to be restricted to good ground near the water so that logs could be driven down river by the spring freshets. Only logs free of knots and imperfections were acceptable. This

usually meant taking one cut from the trees and leaving the rest. At first all felling and cutting was done by chopping. Contract loggers were paid \$4 to \$5 per thousand board feet for their sticks, delivered at the mill. The standard wage

LOGGING BY OXEN AND YOKE in the old days along Smith River. Even skidded down to the water.





for lumberjacks who worked by the day was \$1 per day. A workday was from dawn to dusk.

The loggers lived pretty much off the country by taking fish, game, and furs. They sold the furs to the stores in towns or traded them for necessities.

In addition to the sawmill and the residences, Gardiner had four saloons, a brewery, two stores, two hotels, and a salmon cannery. An oldtimer, still living in the town said, "We had everything we needed."

The finished lumber was shipped by sailing schooner to many parts of the world but the largest share went to San Pedro and San Francisco, Calif.

Another oldtimer told of the past life on the Smith River. There was no road. The river was their highway. The small farms that were cleared from the heavy forest produced well. Fish and game were abundant. The families along the river cooperated and enjoyed each other. They

(Continued on page 12)

These days an access road had to be opened up before the timber could be



AN OLD STEAMBOAT plied the Smith River when this photo was taken about 1912. Notice the sawed lumber piled behind the horse.



SMITH RIVER road winds along the left bank. Built in 1931 this county road was the only access to the area until completion of the BLM forest access road.

**JACKSTRAWS.** Like a maze of jumbled toothpicks giant trees have been uprooted and toppled over by high winds. Without rapid salvage these trees would soon decay. In this condition they can become a serious fire hazard.







## BLM MARKS RECORD YEAR

Conservation activities last year by the Bureau of Land Management have made significant contributions to the Nation's resource development. BLM is responsible for the conservation, management, and development of more than 477 million acres of the Nation's public lands.

Enough timber was harvested from BLM lands last year to build more than 100,000 average homes. These lands also yielded enough oil to heat more than 5 million homes for a year and enough forage to feed more than 11 million livestock and big game for an average of 4 months. And at the same time the Bureau brought in total receipts to the U.S. Treasury of more than \$136,700,000.

Major achievements during 1959 included the initiation of a 16-man smokejumper unit in Alaska. These men have proved their value as an important added part of the vital effort to reduce resource losses from Alaska wildfires.

In a two-pronged action preserving areas for proper development and helping to protect the public from unscrupulous land promoters, approximately 1 million acres of southern California desert lands were classified for nonagricultural use. The lands were found unsuitable for irrigated agricultural development.

Recognizing the growing needs for lands for development, legislation was asked by the Department under which lands could be designated and sold for urban and suburban development. The proposed bill would permit land sales to private

firms or individuals, or local government agencies for many types of uses and purposes. Such land sales are not possible today.

In its programs and operations during fiscal year 1959, Bureau receipts totaled over \$136,700,000 of which some \$51 million were distributed to 27 public land States. Appropriations for the Bureau's management operations during that same year amounted to \$26,910,100.

## NEW BLM MOVIE

"Alaska . . . Land to Grow On," a 28-minute sound and color film showing the public land and resource development programs of the Bureau of Land Management, is available for public distribution.

The new 16-mm. film was photographed amid the breathtaking splendor of Alaska's majestic mountains, vast untouched wilderness and booming cities. The movie depicts BLM's role in past and future Alaska development.

The movie covers BLM programs ranging from oil and gas leasing through agricultural homesteading and townsite planning, to the heroic activities of BLM's smokejumpers who parachute onto raging forest fires as far as 300 miles from base operations.

The film is cleared for public service television and is available to large or small groups. Schools, colleges, conservation organizations, and other interested groups may arrange a free-of-charge loan.



of the film or obtain additional information by writing the Director, Bureau of Land Management, U.S. Department of the Interior, Washington 25, D.C.

## GRAZING FEE

The grazing fee to be charged for the use of the Federal range during 1960 will remain at 22 cents per animal unit month, the same fee charged in 1959.

Fees and rentals on both so-called section 3 and section 15 lands will remain the same during 1960.

The fee is based on average livestock prices at markets in the Western States during calendar year 1959. Under the new grazing fee formula which has been in effect since January 1, 1958, grazing fees are increased or decreased only when average prices per pound change more than 2 cents. Though livestock prices were down slightly in 1959, the change was not large enough to affect public land grazing fees.

Gross returns to the U.S. Treasury from licenses and permits on grazing district lands during fiscal year 1959 totaled \$2.7 million.

Grazing charges on grazing district lands are based on the number of livestock permitted to use the Federal range and the length of time for which they use it. The fees charged for each month's use is 22 cents per head of cattle, 44 cents per horse, and 22 cents for each 5 sheep or goats. No fees are charged for livestock under 6 months old.

Grazing lease rentals on lands outside of grazing district (section 15 lands) are on a sliding scale based upon the grazing capacity of the lands. Last year some 17.7 million acres were under lease to more than 9,000 operators who grazed 2.2 million head of livestock during the year. Annual lease rentals amounting to approximately \$354,000 were returned to the U.S. Treasury in 1959.

## COMPETITIVE LEASING IN ALASKA

Competitive bids for the leasing of some 9,000 acres in the Gubik gas field in northern Alaska will be opened on February 24, 1960.

The bid opening will be held at 1 p.m. in the public room of the BLM Land Office, 516 Second Avenue, in Fairbanks. This will be the first time a competitive Federal oil and gas lease bid opening has been conducted in Alaska.

The lands involved are available for leasing in 16 tracts. The lands are adjacent to the eastern boundary of Naval Petroleum Reserve No. 4 and abut the west side of a larger area of about 16,000 acres in the Gubik gas field already under lease.

## ANTI-SPECULATION POLICY

New and improved anti-land speculation safeguards are embodied in a major public land policy statement issued by direction of Secretary of the Interior Fred A. Seaton.

The anti-land speculation policy is directed toward Federal Government-private land exchanges carried out by the Department's Bureau of Land Management.

The new policy statement strengthens anti-land speculation safeguards followed by the Bureau. The new policy statement strengthens public safeguards by making it virtually impossible for people to use Government-private exchanges of public lands for speculative purposes. It would not impede private exchanges for their basic purpose of simplifying land ownership patterns.

In announcing this action, Secretary Seaton called attention to the proposed "Public Land Urban and Business Sites Act" which was submitted to the Congress by the Department of the Interior on April 29, 1959. Although hearings have been held on the proposal, this bill, introduced as H.R. 7042, has not been acted upon by the Congress.

Briefly, H.R. 7042 would provide authorization for a new concept in Federal land management, for it would permit the disposition by competitive bid at public auction of tracts of 1,280 acres, or less, which have been classified as chiefly valuable for urban, commercial or industrial purposes.

The bill also provides that local governmental agencies may acquire lands classified for urban or business purposes at their fair market value.

When testifying on H.R. 7042, the Director of the Bureau of Land Management on June 2, 1959, stated:

... we have the land exchange provisions of the Taylor Grazing Act. During the first 15 years after passage of the act in 1934, most land exchanges were made for the purpose of blocking up ranching units and Federal range areas. More recently, the private exchange provisions of the act have been used for purposes of acquiring public lands for private land expansion and for industrial and commercial purposes.

Many of the exchange applicants offer to select public land around cities and towns. We have approved many such transactions because it appeared that this was the only method for disposition of public lands so that cities, towns, and industries might grow. In most instances, it is now the only method available to provide a substantial land base for urban, suburban, residential, and commercial development.

We now have concluded that this is a most difficult means of providing public lands for this type of need. Land exchanges under the law must be in the public interest and must be approximately equal in value. To be in the public interest the offered lands (private) must be acceptable as an addition to the public domain. The selected lands (public domain) must be proper for transfer out of the public domain.

In making land exchanges of the character described, one of the big stumbling blocks is the fair market value and equal in value concepts. Such exchanges are now resulting in the Government's receiving from 10 to 25 acres for every acre transferred. This generally occurs because

(Continued on page 14)



## COLORADO ENCLAVE

(Continued from page 7)

is the subject of the legend. The area in question was within the territories regarding which Spain by the treaty of 1819 "cedes to the . . . United States, all . . . rights, claims, and pretensions;" and it was thenceforth within the United States.

The line of article 3 of the treaty of 1819 was readopted by certain subsequent treaties. Following the establishment of Mexican independence, the treaty of January 12, 1828, between the United States and Mexico confirmed the line of 1819 as the boundary between the two nations. Following the establishment of the independence of Texas, the convention of April 25, 1838 between the United States and Texas confirmed the line of 1819 as the boundary between the two nations. In other words, by those treaties both Mexico and the Republic of Texas acknowledged the fact that the area of Colorado which is the subject of the legend was then on the United States side of the international boundary.

The error of the legend is that it fails to take into account the provisions of article 3 of the treaty of 1819. By this article the United States not only acquired the claim of Spain to the area of Colorado in question but asserted for the future its own claim to the area. As a consequence of this article, there was not, and could not have been, any area of non-U.S. territory anywhere between the western limits of the Louisiana Purchase and the boundary of the Republic of Texas, because one and the same line—the line of article 3 of the treaty of 1819—marked the then limits of both the United States and Texas.

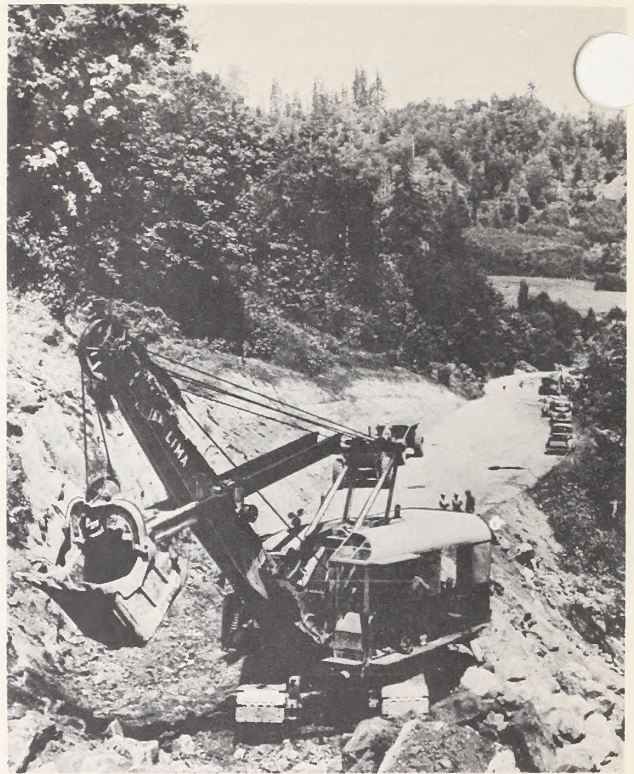
The legend that the United States lacks title to the portion of Colorado in question is not true and has not been true at any time since the treaty of 1819 went into force on February 22, 1821. **End**

Subsequent to Alaska and Hawaii statehood, the gross areas of the United States is 2,313,734,400 acres. Less than 2 percent of this is inland water surface. Various Federal departments, agencies or commissions hold title to 769,717,115 acres or about 33 percent of this gross area.

Since 1938 the Bureau's small tract program has resulted in the transfer of nearly 35,000 tracts to private ownership.

Damage to timber and reproduction stock from fires on BLM lands in calendar year 1958 totaled \$3,994,419.

BLM issued 110 mineral patents during 1959 covering 15,041 acres of Federal land.



HEAVY EQUIPMENT speeds access road building.

## SMITH RIVER

(Continued from page 9)

made their own kind of life in the narrow, isolated valley. They finally built a high school so they would not have to send their children "outside" to boarding schools. Instead of a school bus they ran up-river and down-river boat to transport the students.

It was not until 1931 that a narrow, crooked little county road was built part way up the river. This brought many changes to the people. But the timber was still there. That great block of old-growth fir.

Then, in 1951 a terrible windstorm struck the forest. The enormous trees fell in tangled swaths like grain before a mowing machine. The blow-down was followed by an even worse bark beetle infestation.

Most of the timber was owned by the Federal Government under the jurisdiction of the Bureau of Land Management.

There had to be action. The dead timber had to be salvaged while it retained its value and the beetle-infested timber had to be removed to stop the scourge. There was but one way. A Federal access timber road had to be built.

An inventory of the devastated area show





**COMPLETED ROAD** winds its way up the valley, providing access to valuable stands of old-growth timber, and paving the way for the use and enjoyment of areas for recreation.

approximately 126 million board feet of blow-down and more than 157 million board feet of bug-killed timber. Road survey crews were rushed to the field. Construction contracts were let and men and machines, under the supervision of the Bureau of Public Roads, began punching in a forest highway of sufficient size to bear the traffic of log trucks. It was a race against time. But the race was won.

The Smith River timber access road was completed connecting with Highway 101 along the Pacific coast and with Highway 99 in the Willamette Valley, so that timber could be hauled both east and west to the hungry mills.

As of December 1959 the Bureau of Land Management has sold 591 million board feet that have been hauled over the 90-mile Smith River road system. The value of the timber sold has totaled more than \$9 million. But this is only a beginning

for there are still 4 billion board feet of timber of all ownerships that will go to market over the Smith River system.

The beetle epidemic has been wiped out and the dead timber salvaged. The blowdown-bugkill area is again part of the sustained yield forest program, and another colorful chapter has been added to the history of the Smith River area.

The Smith River project is but one of the many success stories involving BLM forest management. High priority has been given to the development of a network of forest access roads in western Oregon. To date, more than 268 miles of mainline access roads and 38 bridges have been completed. This access policy will hasten the time when mature timber can be harvested at a rate nearly equal to annual growth thereby increasing the volume of timber that can be put on the market for America's growth and expansion.

**End**



## ACTIVE ACRES

(Continued from page 11)

the location of the selected land in areas moving toward residential, industrial, and commercial uses are developing substantial rises in land value. The offered lands generally have little or no alternative uses except for grazing and no particular site characteristics that would enhance market value.

Secretary Seaton explained that the new policy statement contains five principal safeguards:

1. The Federal Government will no longer approve exchanges involving people who do not actually own and hold title to the lands they are offering for exchange. It had formerly been possible for people to make exchanges on the basis of options and purchase agreements.

2. As a matter of policy, the Department's Bureau of Land Management will not approve any exchanges in areas where the real estate market is so unstable or uncertain that values cannot be established with confidence.

3. No exchanges will be approved where there is a marked dissimilarity in location or character of the offered and selected lands. Under the law, the value of the selected lands may not exceed the value of the offered lands. Marked dissimilarity works against equating of values.

4. Exchanges will not be approved unless there would be a clear and positive benefit to the Federal Government with the likelihood that the lands gained by the Government will remain in the Federal ownership for many years for resource conservation purposes. The mere fact that an exchange will result in "blocking up" Federal ownerships will not, in itself, be regarded as meeting the legal requirement that the exchange must be "in the public interest."

5. When the Federal Government blocks out land ownership patterns for management purposes, private land exchanges will only be used when that means would clearly be a more economical and effective way to obtain the lands than by direct purchase or condemnation proceedings.

Secretary Seaton said that the intent of the new formal land exchange policy statement is to make it impossible to use land exchanges for speculative purposes.

BLM allowed original homestead entries on 146,767 acres during 1959 and 40,815 acres of homesteads were patented during the same period.

Approximately 1 million acres in the Kenai National Moose Reserve in Alaska were opened to oil and gas development during the past year.

The remaining 1 million acres were closed to leasing because such activities would be incompatible with management for wildlife purposes.

## ROAD USE FEES

New regulations will relieve private companies which build roads across the Bureau of Land Management's western Oregon forest lands of paying road use fees on those roads.

The new rules apply to rights-of-way on the Oregon and California railroad grant lands of western Oregon—lands from which nearly 1 billion board feet of timber were harvested last year. Road use fees are a charge made to operators who haul over O & C roads. The fees are based on the amortized cost of road construction plus interest. Fees vary widely, depending on construction costs.

The new regulations will remedy inequities that have resulted under the old rules as they are applied to the complex checkerboard of Federal land-ownership on the O & C lands.

If a private operator builds a logging road across O & C lands to reach and haul out timber he owns, he could receive a short-term permit from the Government at the expiration of which the road would become Government property. Unless the Government were maintaining the road, the operator would not pay any fee while his permit was in effect.

Later, if the same operator again wanted to use that same road (after his permit had expired), the new regulations would make it possible to renew his permit and he would not be required to pay a road use fee.

He would, however, continue to pay his proportionate share of the maintenance costs of the road along with his share of any improvements added to the road by the Government since the operator first built and used it.

Under the old rules, the operator has to pay a road use fee based on his fair share of the total road construction and maintenance costs. In effect, the operator used to be required to repay the Government for his own initial investment.

## ON THE BOOKSHELF

*Hydrology*, by Chester O. Wisler and Ernest F. Brater, 2d Edition (New York, John Wiley & Sons, Inc., 1959) 408 pages.

*Handbook for Teaching of Conservation and Resource-Use*, produced by the Conservation Committee of the National Association of Biology Teachers and the American Nature Association (Danville, Ill.: Interstate Printers and Publishers, Inc., 1958) 502 pages.

## STAR GUIDE

The astronomical almanac, issued by the Bureau of Land Management for the use of its cadastral engineers, is off the press.



"The Ephemeris, 1960" contains tables and parts of the daily positions of the sun, and hourly changes in declinations, upper culminations, and elongations of Polaris (the North Star). Semi-monthly positions of 28 other selected stars are also given.

Now in its 51st annual edition, it is the only official publication of its kind arranged for the use of cadastral engineers rather than astronomers.

The "Ephemeris" may be purchased for 30 cents from the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C.

## DRILLING BOND

Oil and gas lease operator's drilling bonds have been raised from \$5,000 to \$10,000 to increase protection to the surface owners of land under oil and gas lease.

Drilling bonds protect surface owners from damages to crops and improvements on lands leased by the Federal Government for oil and gas development.

Director Woozley said the proposed \$10,000 bond rate is reasonable in view of rising monetary values of land improvements. The present \$5,000 bond rate has been in effect since the first oil and gas leases were issued under the Mineral Leasing Act of 1920.

## MINERALS YEARBOOK

The latest Bureau of Mines' Minerals Yearbook, a comprehensive three-volume record of activities and developments in the Nation's mineral industries during 1958, has just been published.

One of the largest ever issued, the 2,779-page edition also is the first since 1941 to be completed in the year immediately following that covered. Its publication is the culmination of an intensive Bureau program, designed to overcome a year-book backlog that resulted because of urgent assignments during World War II and the Korean emergency.

Copies of the 1958 Minerals Yearbook can be obtained only from the Superintendent of Documents, Government Printing Office, Washington 25, D.C., at the following prices:

Volume I—Metals and Minerals, Except Fuels, \$4; Volume II—Fuels, \$2.25; Volume III—Area Reports, \$3.75.

Individual chapters comprising each volume also are available separately from the Superintendent of Documents, at prices ranging from 5 cents to 35 cents. The Minerals Yearbook is not sold by the Bureau of Mines.

BLM has exclusive responsibilities for about 62 percent of federally owned lands. More than half of this area is in the State of Alaska.



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OFFICIAL BUSINESS

*Public lands under exclusive jurisdiction of the Bureau of Land Management, 1959*

Area	State or operations district	Vacant public domain lands <sup>1</sup>			Reserved lands <sup>2</sup>		Unperfected entries <sup>4</sup>	Grand total
		Outside grazing districts	Within grazing districts	Total	LU <sup>3</sup>	Other		
		<i>Acres</i>	<i>Acres</i>	<i>Acres</i>	<i>Acres</i>	<i>Acres</i>	<i>Acres</i>	<i>Acres</i>
1	California.....	13,090,780	2,610,593	15,701,373	.....	157,342	168,733	16,027,448
	Oregon.....	783,413	12,325,113	13,108,526	94,692	2,173,217	132,395	15,508,830
	Washington.....	357,035	.....	357,035	.....	.....	32,155	389,190
	Total Area 1.....	14,231,228	14,935,706	29,166,934	94,692	2,330,559	333,283	31,925,468
2	Arizona.....	1,883,304	10,569,584	12,452,888	39,127	586,451	23,841	13,102,307
	Idaho.....	577,862	10,635,249	11,213,111	73,316	281,819	204,541	11,722,787
	Nevada.....	3,584,424	42,445,397	46,029,821	3,383	1,248,468	58,675	47,340,347
	Utah.....	98,757	24,193,606	24,292,363	18,749	133,925	34,614	24,479,651
	Total Area 2.....	6,144,347	87,843,836	93,988,183	134,575	2,250,663	321,671	96,695,092
3	Colorado.....	624,097	7,436,266	8,060,363	49,321	270,069	7,297	8,387,050
	Kansas.....	1,431	.....	1,431	.....	.....	.....	1,431
	Montana.....	1,181,508	5,204,268	6,385,776	1,941,884	22,975	40,108	8,390,668
	Nebraska.....	6,288	.....	6,288	.....	.....	.....	6,288
	New Mexico.....	535,213	12,751,433	13,286,646	273,435	759,523	22,965	14,342,507
	North Dakota.....	79,438	.....	79,438	.....	5,029	.....	84,467
	Oklahoma.....	22,829	.....	22,829	.....	13,236	.....	36,065
	South Dakota.....	273,098	.....	273,098	.....	13,680	.....	286,778
	Wyoming.....	3,011,590	13,112,282	16,123,872	9,715	1,378,278	37,207	17,549,072
	Total Area 3.....	5,735,492	38,504,249	44,239,741	2,274,355	2,462,790	107,577	49,084,463
4	Anchorage.....	70,157,000	.....	70,157,000	.....	2,000,000	266,778	72,423,778
	Fairbanks.....	198,765,063	.....	198,765,063	.....	26,000,000	193,995	224,959,058
	Juneau.....	1,868,000	.....	1,868,000	.....	81,000	100,003	2,049,003
	Total Alaska.....	270,790,063	.....	270,790,063	.....	28,081,000	560,776	299,431,839
	Eastern States office:							
	Alabama.....	4,338	.....	4,338	.....	1,472	141	5,951
	Arkansas.....	1,576	.....	1,576	.....	4,822	.....	6,398
	Florida.....	1,359	.....	1,359	.....	315	267	1,941
	Illinois.....	166	.....	166	.....	4	.....	170
	Indiana.....	13	.....	13	.....	.....	.....	13
	Louisiana.....	14,621	.....	14,621	.....	204	94	14,919
	Michigan.....	4,461	.....	4,461	.....	142	.....	4,603
	Minnesota.....	56,456	.....	56,456	.....	19,361	162	75,979
	Mississippi.....	7,176	.....	7,176	.....	47	240	7,463
	Missouri.....	195	.....	195	.....	.....	.....	195
	Wisconsin.....	1,452	.....	1,452	.....	230	.....	1,682
	Total Eastern States office.....	91,813	.....	91,813	.....	26,597	904	119,314
	Total United States.....	296,992,943	141,283,791	438,276,734	2,503,622	35,151,609	1,324,211	477,256,176

<sup>1</sup> The following types of surveyed and unsurveyed public and ceded Indian lands are included: Areas withdrawn under the Executive Orders of Nov. 26, 1934, and Feb. 5, 1935 (43 CFR 297.11); areas embraced in mineral withdrawals and classifications; areas withdrawn for resurvey; and areas restored to entry within National Forests (Act of June 11, 1906, 34 Stat. 233, 16 U.S.C. 506-509), within reclamation projects (Act of June 17, 1902, 32 Stat. 388), and within power site reserves (Act of June 10, 1920, 41 Stat. 1063, 16 U.S.C. 791). These lands are not covered by any non-Federal right or claim other than permits, leases, rights-of-way, and unreported mining claims.

<sup>2</sup> Data are incomplete.

<sup>3</sup> "Land Utilization Project" lands purchased by the Federal Government under title 111 of the Bankhead-Jones Farm Tenant Act, and subsequently transferred from jurisdiction of the U.S. Department of Agriculture to the U.S. Department of the Interior, and now administered by the Bureau of Land Management.

<sup>4</sup> Excludes reclamation and forest-homesteads.